

# EXHIBIT E

**DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE**

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MARIA QUINTO-COLLINS, et al.,	)	
	)	<b>CERTIFIED COPY</b>
Plaintiffs,	)	
	)	
vs.	)	CASE NO.: 3:21-cv-06094-VC
	)	
CITY OF ANTIOCH, et al.,	)	
	)	
Defendants.	)	
_____	)	CERTIFIED COPY

**VIDEOCONFERENCE**

**DEPOSITION OF OFFICER JAMES PERKINSON**

**TUESDAY, APRIL 18, 2023**

**10:06 A.M. - 2:56 P.M.**

**APPEARING FROM SUN CITY WEST, ARIZONA**

**REPORTED BY: DEBRA J. SKAGGS, CSR NO. 7857**

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1  
2  
3  
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7  
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10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INDEX OF EXAMINATION

WITNESS: OFFICER JAMES PERKINSON

EXAMINATION	PAGE
By Mr. Nisenbaum	7
--o0o--	
Appearance Page	3
Exhibit Page	4
Location	5
Declaration Under Penalty of Perjury	188
Reporter's Certificate	189
Disposition	190
Witness Letter	191
Deposition Errata Sheet	192
Attorney's Notes	193

--o0o--

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

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Officer Arturo Becerra

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## DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1	INDEX TO EXHIBITS		
2	WITNESS: JAMES PERKINSON		
3	TUESDAY, APRIL 18, 2023		
4			
5	PLAINTIFFS'	DESCRIPTION	PAGE
6	EXHIBITS		
7	1	Bates CONFIDENTIAL APD 000699	
8	(Confidential)	City of Antioch Personnel Action	
9		Form, re: Education Incentive Pay	
10		for Officer Perkinson	19
11	2	Audio file -- Officer Perkinson's	
12		Post-Incident Interview dated	
13		December 24, 2020	38
14	3	21 pages - Contra Costa County DA's	
15		office Investigation Report dated	
16		March 27, 2023 re: PC 745 Racial	
17		Justice Act	59
18	4	14 pages - Contra Costa County DA's	
19		office Investigation Report dated	
20		March 28, 2023, re: PC 745 Racial	
21		Justice Act	75
22	5	Video file - Arlo video "t2313.mp4"	101
23	6	Video file - Ring video "ring01.mp4"	105
24	7	Video file - Ring video "ring02.mp4"	144
25	8	Video file - Ring video "ring03.mp4"	150
	9	Video file - Ring video "ring04.mp4"	157
	10	Video file - Arlo video "t2320.mp4"	159
	11	Video file - Arlo video "t2324.mp4"	160
	12	Video file - Arlo video "t2326.mp4"	162
	13	Video file - Arlo video "t2327.mp4"	163
	14	Video file - Arlo video "t2328.mp4"	164

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

INDEX

EXHIBITS (CONTINUED)

15	Video file - Cell phone video "12-23-2020-2300s.mov"	166
16	Video file - Arlo video "t2332pt1.mp4"	182
17	Video file - Arlo video "t2332pt2.mp4"	183

--o0o--

CONFIDENTIAL PORTIONS

PAGE/LINE

17/21 to 21/18

86/3 to 87/1

--o0o--

CERTIFIED QUESTIONS

PAGE/LINE

53/16

55/5

60/11

61/8

61/15

61/22

64/14

65/17

66/13

66/24

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 Q. Okay. Did you respond with lights and siren?

2 A. I honestly don't recall because -- my  
3 recollection is it was actually a short distance away;  
4 it was a cold December night that there wasn't a lot of  
5 traffic out.

6 Q. Of course, you were not privy to the 911 call  
7 itself; correct?

8 A. Not at the time, no.

9 Q. You didn't hear the 911 call until probably in  
10 preparation for the coroner's inquest proceedings;  
11 correct?

12 A. That would be fair to say.

13 Q. Okay. So you're operating on information from  
14 dispatch; right?

15 A. Yes.

16 Q. Did Officer Beccerra activate his lights and  
17 siren?

18 A. I don't recall.

19 Q. And it took you about three minutes to arrive;  
20 is that right?

21 A. That sounds -- a fair estimate.

22 Q. And when you arrived, were you able to hear  
23 anything from the house?

24 A. Well, I suppose at what point are you asking?  
25 Like, as I pull up on -- at the house, I probably wasn't

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 hearing anything. As I got closer to the house -- I  
2 don't actually remember for sure.

3 Q. Do you recall hearing anything from the house  
4 before going inside?

5 A. At this point no, I don't recall anything from  
6 outside.

7 Q. Who arrived first? You or Beccerra?

8 A. Beccerra was in front of me.

9 Q. And I mean car-wise when you're driving up to  
10 the scene.

11 A. Again, I believe he pulled up in front of me,  
12 and he walked up the driveway in front of me.

13 Q. And at what point did you recognize the  
14 location where you were at as having -- pertaining to  
15 the events a couple months before?

16 A. You know, I don't think it was until after  
17 everything had settled down. I don't -- I don't -- I  
18 don't independently remember exactly when I realized  
19 this might have been in the same area as the October  
20 call.

21 Q. Okay. All right. You saw someone you later  
22 learned was Isabella Collins; correct?

23 A. Yes.

24 Q. When did you see her?

25 A. I'm not sure if I actually saw her in front of



DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 There is a different view of it from the Ring camera,  
2 and we'll get to that at some point here.

3 All right. So now, looking at -- so like I  
4 said, the file is -2313, which means -- you may not know  
5 this -- it means 11:13 P.M.

6 But that would be about the time that you  
7 entered the house; is that right?

8 A. That would be close, yes.

9 Q. Okay. How long did it take you from the time  
10 that you entered the house to the time that the physical  
11 restraint of Mr. Quinto began?

12 A. I would have to just guess and say the walking  
13 time to the back of that room and just kind of assessing  
14 and whatnot, it probably would have been, like, maybe 30  
15 seconds. In that time frame.

16 Q. Okay. Fair to say it was pretty quick; right?

17 A. Yes.

18 Q. It's not a big house. You didn't have to walk  
19 through a maze of hallways. Right?

20 A. Correct.

21 Q. Okay. All right. So I'll just play out the  
22 rest of this video.

23 (Video file is playing.)

24 ATTORNEY NISENBAUM: All right. Now, I'm  
25 going to go to -- I'm going to stop the Share, and I

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 striking her?

2 A. I did not see anything that resembled him  
3 striking her.

4 Q. Did it look like he was choking or strangling  
5 her?

6 A. When I walked in the bedroom, I saw nothing  
7 that appeared that way.

8 Q. Did it look like -- did it look like he was  
9 attacking her?

10 A. I wouldn't describe it that way, no.

11 Q. How would you describe it?

12 A. It -- just they were bear-hugging each other.  
13 They were holding onto each other. She was asking for  
14 help or something to that effect. I don't specifically  
15 recall what she was saying.

16 Q. Okay. All right.

17 Was Mr. Quinto saying anything?

18 A. I know he was making noises. And I want to  
19 say, like, as we first walked in, he made some comment  
20 about "Don't kill me." And then he might have even  
21 asked his mom or somebody "Don't let them kill me,"  
22 something to that effect. I don't -- unfortunately, we  
23 didn't have cameras recording at that time, so I don't  
24 specifically remember exactly. But it was something  
25 along those lines.

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1           Then what happens?

2       A.           We separate the two parties. The mom kind of  
3       falls back off to the side, but still with her back up  
4       against the entertainment center. At one point I grab  
5       handcuffs, I get a handcuff on his right hand, and I  
6       pull it to the middle of his back --

7           (Interruption of an unidentified person  
8       talking offline.)

9           ATTORNEY NISENBAUM: Q. Go ahead.

10      A.           I believe that Officer Beccerra was trying to  
11      manipulate his left hand to get it to the center of his  
12      back, and that took a little bit of a second, and then  
13      he was in handcuffs at that point. He continued to  
14      kick, so I held his feet down.

15      Q.           How difficult was it to separate Mr. Quinto  
16      from his mother?

17      A.           It -- I wouldn't describe it as real  
18      difficult.

19      Q.           Okay. And was Mr. Quinto trying to strike  
20      you, or Officer Beccerra, or his mother when you tried  
21      to separate him?

22      A.           I never felt like he was trying to assault  
23      anybody at that time.

24      Q.           Okay. He was clearly alive; right?

25      A.           He was moving, he was talking, he was res- --

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 Q. Okay. Did he have his knee still pinning the  
2 shoulder down -- and by "he" -- did Officer Beccerra  
3 have his knee on Mr. Quinto's left shoulder area,  
4 pinning it down, when Officer Hopwood entered?

5 ATTORNEY BLECHMAN: Objection. Again,  
6 misstates the witness's testimony; it's argumentative as  
7 to pinning his shoulder down.

8 Go ahead and respond.

9 THE WITNESS: I honestly don't recall at what  
10 point Officer Hopwood entered the room at that point.

11 ATTORNEY NISENBAUM: Q. Well, you know  
12 that after Officer Hopwood entered the room --  
13 shortly after that, you got up; right?

14 A. Yes. So once there was another officer there  
15 and the determination was to get an ambulance, myself  
16 and Officer Beccerra kind of shifted, and I got up to  
17 leave the room.

18 Q. So Officer Beccerra was -- I'm sorry.

19 Officer Hopwood was in the second set of  
20 officers that arrived; correct?

21 A. Yes.

22 Q. And is it fair to say that if Officer Hopwood  
23 arrived four minutes after you did, that the restraint  
24 of Mr. Quinto had gone on for approximately four minutes  
25 prior to Officer Hopwood's arrival?

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1           ATTORNEY BLECHMAN: I'm going to object. I  
2 think it may misstate the records; it may misstate the  
3 witness's testimony; argumentative.

4           Go ahead.

5           ATTORNEY NISENBAUM: You know I would not  
6 misstate the record on something like that, Noah.

7           ATTORNEY NISENBAUM: Q. Go ahead.

8           A. Again, this was all transpiring very fast. I  
9 believe it was less than two minutes from our arrival  
10 time to the point where he was detained. I think it was  
11 less than two minutes after he was detained that we were  
12 requesting an ambulance to place him on a W&I 5150 hold.  
13 And once I'm asking for the ambulance, leaving the room,  
14 and at some point -- I don't know that Officer Beccerra  
15 kept his leg on him the whole time. I think at some  
16 point he kind of shifted to put both of his knees on the  
17 ground.

18          Q. Did you see that?

19          A. I do recall him having both knees on the  
20 ground, yes.

21          Q. Do you recall ever saying that prior to today?

22          A. I don't know that I said that or not.

23          Q. Okay. In fact, while you were conversing with  
24 his mom about mental health issues and possible drugs  
25 and hallucinations, Officer Beccerra had his knee on

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 A. I did tell you that that was my voice saying  
2 "correct." I did answer that question.

3 Q. And you were answering "correct" -- I'll play  
4 it again so it's clear --

5 ATTORNEY NISENBAUM: And I wonder if the court  
6 reporter might be able to transcribe it, the interview  
7 on this portion? Are you able to do that?

8 THE REPORTER: I'll try.

9 ATTORNEY NISENBAUM: It's a short section.  
10 And let me make sure I'm cued up properly at 31:21.

11 "'OFFICER PERKINSON: ...in a figure four.  
12 It was just...'"

13 ATTORNEY NISENBAUM: Q. Okay. Let me go  
14 back just a shade -- before I do that, let me ask  
15 you this.

16 While you were applying the figure four to  
17 Mr. Quinto, was Officer Beccerra kneeling on  
18 Mr. Quinto's shoulder?

19 A. I believe there was a short time that he might  
20 have been.

21 Q. My question again -- yes or no -- was Officer  
22 Beccerra kneeling on Mr. Quinto's left shoulder while  
23 you were applying the figure four?

24 A. Again, I'm unclear. I believe it's possible  
25 that he did. When I'm holding the leg in the figure

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 four, my attention is turned to the mother to try to get  
2 some facts as to what's going on.

3 Q. You didn't tell the investigators you were  
4 unclear. You answered "correct." Right?

5 ATTORNEY BLECHMAN: Hold on a second.

6 It's argumentative as phrased; it's vague and  
7 ambiguous as to "you answered 'correct.'"

8 But you can respond.

9 THE WITNESS: Did I tell the -- did I answer  
10 the question of the investigators that way? Yes, I did.

11 ATTORNEY NISENBAUM: Q. Okay. So I'm  
12 going to play it starting at 31:15. It's about --  
13 approximately a 20-second segment.

14 ATTORNEY NISENBAUM: And Madam Court Reporter,  
15 if you could transcribe it, that would be awesome.

16 THE REPORTER: Okay.

17 ATTORNEY NISENBAUM: Q. All right.

18 "'OFFICER PERKINSON: -- once -- it was  
19 definitely on the calves. It was below the  
20 knee. And then when I folded his legs  
21 into the figure four, it was just by hand that  
22 I was holding one --

23 'Q. So there is no pressure -- there is  
24 pressure on the knees, and then Beccerra is on  
25 -- on his shoulder --

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1           ATTORNEY NISENBAUM: Q. There was no --  
2 no indication that Mr. Quinto had committed a crime;  
3 correct?

4 A. At what point am I determining that?

5 Q. Well, at some point in this incident you  
6 determined that Mr. Quinto had committed no crime -- or  
7 there was no indication that he had committed a crime;  
8 correct?

9 A. That would be correct. At some point I did  
10 determine that it did not appear to be a crime.

11 Q. Okay. Let me go -- now that we've had a  
12 chance to discuss it and listen to your testimony. Can  
13 you give your best estimate as to how long Officer  
14 Beccerra's knee was on Mr. Quinto's shoulder while  
15 Mr. -- while Mr. Quinto was on the ground after  
16 Mr. Quinto was handcuffed?

17 A. Again, I'm going to stick to what I said  
18 earlier. I believe it was 30 to 60 seconds. And I  
19 could be mistaken, but that's my estimate.

20 Q. Okay. It was clear to you that this was a  
21 mental health issue, possibly with underlying  
22 intoxication; correct?

23           ATTORNEY BLECHMAN: Vague as to time -- hold  
24 on. Vague as to time as to when this was an appearance  
25 to the officer.



DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 left shoulder when Officer Hopwood entered?

2 A. I cannot recall that. I honestly can't recall  
3 at what point Officer Hopwood actually walked in.

4 Q. Okay. And so you don't know the answer one  
5 way or the other, then; correct?

6 A. Correct.

7 Q. Okay. All right. Let me share the screen.  
8 So this is Ring 2. Are you able to see the  
9 time and date, or do I have to do it the way I did  
10 before?

11 A. I do not see the time stamp.

12 Q. Okay. Let me do it the way I did before.

13 Okay. Are you able to see it now? Do I need  
14 to move it up?

15 A. Yeah, I still don't see it.

16 Q. Okay. Let me...

17 A. There it is.

18 Q. Okay. So here we have on the bottom right,  
19 12/23/2020 at 23:17:23; correct?

20 A. Yes.

21 Q. That's four minutes after you made entry;  
22 correct?

23 A. It appears so.

24 Q. Okay. And I'll click "Play."

25 (Video file is playing.)

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 ATTORNEY NISENBAUM: Pausing at 7 seconds.

2 ATTORNEY NISENBAUM: Q. We hear a sound  
3 of somebody making grunting-type sounds. Is that  
4 Mr. Quinto?

5 A. I believe so.

6 Q. Okay. And we have -- you see an officer  
7 entering the house; correct?

8 A. Yes.

9 Q. Is that Officer Hopwood?

10 A. I actually don't believe so.

11 Q. Is that -- is that Shipilov?

12 A. I believe that's who it looked like, but I  
13 could be mistaken.

14 Q. Okay. I'll continue. At this point -- well,  
15 strike that.

16 What was Mr. Quinto doing at this point in the  
17 restraint, if you know?

18 A. I don't have any independent recollection at  
19 this point.

20 Q. Okay. Once Mr. Quinto was handcuffed -- well,  
21 strike that.

22 It took how long to get him in cuffs? About  
23 30 seconds?

24 A. From time of entry -- yeah -- maybe.

25 Q. Approximately; right?

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 A. Yeah, approximately.

2 Q. Okay. So after --

3 ATTORNEY BLECHMAN: Hold on. Sorry.

4 From what point are you asking about?

5 ATTORNEY NISENBAUM: From point of entry --

6 point of making entry into the house to putting

7 Mr. Quinto in handcuffs.

8 ATTORNEY BLECHMAN: Okay.

9 Is that how you understand the question,

10 Officer Perkinson?

11 THE WITNESS: I believe so.

12 ATTORNEY BLECHMAN: Thank you.

13 ATTORNEY NISENBAUM: Q. Okay. All right.

14 So he's been handcuffed now for approximately

15 three and a half minutes; correct?

16 A. That would be a fair estimate.

17 Q. Okay. And that means he's been in a prone

18 restraint for three and a half minutes, approximately;

19 correct?

20 ATTORNEY BLECHMAN: Vague and ambiguous --

21 THE WITNESS: Yep.

22 ATTORNEY BLECHMAN: -- as to "prone

23 restraint."

24 But go ahead.

25 THE WITNESS: It appears that that's the

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 the record.

2 (Recess: 1:43 P.M. to 1:52 P.M.)

3 ATTORNEY BLECHMAN: I think it looks like  
4 we're ready.

5 ATTORNEY NISENBAUM: Okay. All right.

6 If I could have the last question -- I don't  
7 need the answer; just the question read back.

8 (Record read by the Reporter as follows:

9 "Q. So that was time-stamped  
10 23:17:23...")

11 ATTORNEY NISENBAUM: Q. All right. So  
12 now, moving to Ring 3 --

13 ATTORNEY NISENBAUM: We'll make this the next  
14 exhibit in order.

15 THE REPORTER: Exhibit 8.

16 ATTORNEY NISENBAUM: Okay.

17 (Plaintiffs' Exhibit 8 marked  
18 for identification.)

19 ATTORNEY NISENBAUM: Q. Okay...

20 (Pause.)

21 Are you --

22 A. Right there. Yep.

23 Q. So you can see it now? It's 23:20:02.

24 So that's 11:20; correct?

25 A. Yes.

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 Q. About a little more than 2 1/2 minutes later  
2 from the last Ring video.

3 A. Sure.

4 Q. Okay. Do you know who this is exiting?  
5 I'll play it. It's a 12-second clip.  
6 (Video file is playing.)

7 ATTORNEY NISENBAUM: Q. Can you --

8 A. Officer -- Officer Shipilov exited first, and  
9 I followed behind.

10 Q. Okay. All right.  
11 And the restraint was still going on at this  
12 time; correct?

13 ATTORNEY BLECHMAN: Vague and ambiguous as to  
14 "the restraint."

15 ATTORNEY NISENBAUM: Let me be clear about it.

16 ATTORNEY NISENBAUM: Q. The prone  
17 restraint of Mr. Quinto was still taking place at  
18 this time as you exited; correct?

19 ATTORNEY BLECHMAN: I'm going to object to the  
20 term "prone restraint"; and argumentative as to  
21 "restraint."

22 But you can respond.

23 THE WITNESS: I believe so.

24 ATTORNEY NISENBAUM: Q. Okay. And why do  
25 you believe that?

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 A. That was how he was left when I left the room.

2 Q. Okay. And again, it didn't take you any real  
3 time to leave the room; right? A few seconds?

4 A. Yeah. I can't imagine it's more than 10 or 15  
5 seconds to get out the door.

6 Q. Okay. And he was still in a prone restraint,  
7 but now Officer Hopwood had taken over at the shoulder,  
8 and you were -- and Officer Beccerra had moved to the  
9 legs; correct?

10 A. Officer Beccerra did move to the legs. To be  
11 honest, I don't know that I recall Officer Hopwood  
12 actually restraining his upper body.

13 Q. Okay. Mr. Quinto was still in a prone  
14 position on the ground when you left the room?

15 A. He was.

16 Q. Okay. And he was making those sounds that we  
17 heard; correct?

18 A. Up to the point that I left the --

19 Q. Right.

20 A. Up to the point that I left the room, he had  
21 been making noises and sounds.

22 Q. Okay. And I assume that nobody had removed  
23 the handcuffs before you left; correct?

24 A. That would be correct.

25 Q. All right. Let me look at one thing.

## DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1           Okay. I'm going to read from your coroner's  
2 inquest interview, page 66, line 11 through line 21, and  
3 you let me know if this refreshes your recollection.

4           Starting at line 11 of page 66.

5           "'A. We shuffled positions, and Officer  
6 Beccerra kind of comes down to his legs. And  
7 then Officer Hopwood had come into the room, as  
8 well as, I believe, Officer Shipilov was in the  
9 room. Officer Shipilov was just standing, kind  
10 of in the doorway, trying to figure out if we  
11 needed other help. Officer Hopwood then kind  
12 of was holding Mr. Quinto's upper body down  
13 while Officer Beccerra took over the figure  
14 four lock so that I could -- so that I  
15 could go complete paperwork that needed to be  
16 done to get him transported to the hospital.'"

17           Does that refresh your recollection that  
18 Officer Hopwood, after he entered the room, was holding  
19 Mr. Quinto's body -- upper body down?

20           A.           Whatever's -- yes, sort of.

21           Q.           Okay. Tell me how?

22           A.           So ultimately, I think that Officer Hopwood  
23 got into a position to take over the area where Officer  
24 Beccerra was, Beccerra took over my position, and then I  
25 don't know that it was necessary to hold his upper body

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 down or not. I -- I left the room. I'm not sure what  
2 took place. But he was kind of in an area to take over  
3 the position that Beccerra was in while I -- Beccerra  
4 took over my position.

5 Q. Is it a fair reading of your testimony that  
6 you saw Officer Hopwood making physical contact with  
7 Mr. Quinto's upper body, but you don't know whether or  
8 not he was applying pressure with that contact?

9 ATTORNEY BLECHMAN: Hold on a second.

10 It calls for speculation of whether it's a  
11 fair reading of it; it's argumentative.

12 But go ahead.

13 THE WITNESS: I do believe he touched him.  
14 Whether or not he used much force to push him down, and  
15 how long that force was -- I mean, I was exiting the  
16 room, and then I was gone.

17 ATTORNEY NISENBAUM: Q. Okay. But you  
18 did see the physical contact; correct?

19 A. I would have assumed that I saw it very  
20 briefly.

21 Q. Okay. You don't just assume it; you know it,  
22 because you testified to it under oath at the coroner's  
23 inquest.

24 Correct?

25 ATTORNEY BLECHMAN: It's argumentative.



DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1     guy with the glasses? I paused at 7 seconds;  
2     correct?

3     A.           I see this person.

4     Q.           Okay. Continuing.

5                 (Video file is playing.)

6                 ATTORNEY NISENBAUM: Q. All right. So  
7     the guy with the glasses went in last; correct?

8     A.           It appears so.

9     Q.           So that is pretty much a different view of  
10    the -- of the 11:25 P.M. clip that I just showed you  
11    from the Ring video; correct?

12    A.           I believe so.

13    Q.           All right.

14                 And obviously no sound from Mr. Quinto there  
15    either. Now, that would be, at least, 11 minutes --  
16    about 11 minutes after you had initially entered the  
17    room; correct?

18    A.           Sorry, I kind of lost track of keeping track  
19    of the times, but.

20    Q.           Right. The first video was time-stamped  
21    11:13.

22    A.           Okay.

23                 And this one was in the neighborhood of?

24    Q.           11:24.

25    A.           So doing the math, it appears that 11 minutes

DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE

1 would be accurate.

2 Q. Okay. Now, when you went back into the --  
3 when you went back in -- back into the house, how long  
4 had you been out of the house? In other words, how long  
5 were you out of the house from when you left to get and  
6 do the paperwork to going back in?

7 A. Honestly, I don't recall. I mean, I can't  
8 imagine it was more than a few minutes.

9 Q. Okay. So it was 11:20 when you left, though;  
10 correct?

11 A. I believe that's the video you showed me, yes.

12 Q. Okay. So now I'm going to go to 23:26 on the  
13 Arlo videos, and that obviously represents 11:26. It's  
14 a 13-second clip.

15 (Plaintiffs' Exhibit 12 marked  
16 for identification.)

17 (Video file is playing.)

18 ATTORNEY NISENBAUM: Q. All right. Was  
19 that you reentering?

20 A. It was not.

21 Q. Okay.

22 Do you know who it was?

23 A. I believe it was Officer Shipilov.

24 Q. Okay. Go to the next Arlo, which is -2327.

25 //

**DEPOSITION OF OFFICER JAMES PERKINSON - VIDEOCONFERENCE**

CERTIFICATE OF REPORTER

I, DEBRA J. SKAGGS, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct report of said deposition and of the proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 2023.

/s/Debra J. Skaggs\_\_\_\_\_  
DEBRA J. SKAGGS, CSR No. 7857